

Members

Sen. Connie Lawson, Chairperson  
Sen. Vi Simpson  
Rep. Cindy Noe  
Rep. Charlie Brown  
Abigail P. Flynn  
Loretta Kroin  
Bryan Lett  
Valerie N. Markley  
Robert N. Postlethwait  
David Thomas  
Kathleen OConnell  
Kurt Carlson  
Chuck Clark  
Caroline Doebbling  
Christopher Taelman  
Dennis Jones  
Donna Lisa Gibson



## COMMISSION ON MENTAL HEALTH

*Legislative Services Agency*  
200 West Washington Street, Suite 301  
Indianapolis, Indiana 46204-2789  
Tel: (317) 233-0696 Fax: (317) 232-2554

LSA Staff:

Susan Kennell, Attorney for the Commission  
Kathy Norris, Fiscal Analyst for the Commission  
Sarah Brooks, Fiscal Analyst for the Commission

Authority: P. L. 243-2003

### MEETING MINUTES<sup>1</sup>

**Meeting Date:** October 4, 2005  
**Meeting Time:** 10:30 A.M.  
**Meeting Place:** State House, 200 W. Washington St., Room 233  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 4

**Members Present:** Sen. Connie Lawson, Chairperson; Sen. Vi Simpson; Rep. Cindy Noe; Rep. Charlie Brown; Abigail P. Flynn; Loretta Kroin; Bryan Lett; Valerie N. Markley; Robert N. Postlethwait; Kurt Carlson; Chuck Clark; Christopher Taelman.

**Members Absent:** David Thomas; Kathleen OConnell; Caroline Doebbling; Dennis Jones; Donna Lisa Gibson.

#### **I. Call to Order**

Senator Connie Lawson, Chairperson, called the meeting to order at 10:35 A.M.

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

## **II. Indiana State Bar Association (ISBA) Discussion Concerning Children with Mental Health Issues**

Ms. JauNae Hanger, past chair of the Indiana State Bar Association Civil Rights of Children Committee, provided the members with four documents concerning the report of the Children, Mental Health and the Law Summit which was sponsored by the Indiana State Bar Association. (Exhibits 1,2, 3, and 4) The summit was held August 27, 2004. One of the theories put forth at the summit was that if the mental health needs of children in the juvenile justice system are adequately met, the recidivism rate and the rate of criminal issues arising later in an individual's life will be reduced. According to Ms. Hanger, fifty to seventy-five percent of the children in the juvenile justice system have a mental health disorder. The three themes of the summit were: (1) the importance of early intervention, (2) the need for routine screening, and (3) providing adequate care in communities.

Ms. Amy Applegate, Clinical Associate Professor of Law and Director of the Family and Children Mediation Clinic, Indiana University, discussed Monroe County's desire to participate in a pilot program to provide screening, assessment, and treatment for juveniles with mental health issues. (Exhibit 5) Despite the fact that Monroe County does not have a detention center for juveniles, they feel that the support programs they have make their participation in a pilot program feasible. In answer to questions from Senator Simpson, Ms. Applegate said that since Monroe County does not have a juvenile detention facility, they send juveniles forty or fifty miles to other counties. Boone and Hendricks counties, which like Monroe County have populations of over one hundred thousand, do not have juvenile detention centers.

Ms. Amy K. Beier, Chief Juvenile Probation Officer of Porter County, discussed the importance of screening and diversion for juveniles with mental health issues. In answer to questions from Representative Brown, Ms. Beier indicated that probation officers begin the initial screening done in Porter County. If it appears that additional assessment is needed, Porter-Starke Hospital does the follow up. Currently, most of the screening is paid for by grants, and there is no cost to the families.

Mr. Bill Stanczykiewicz, President and CEO of the Indiana Youth Institute, discussed the work of the Youth Institute and emphasized the common themes the Institute found when studying juveniles. (Exhibit 6)

At the conclusion of the presentations of the Indiana Bar Association, Senator Lawson asked if any legislation was needed to implement the recommendations from the summit. Ms. Hanger said that her group is working on legislation but has not yet developed any specific proposals.

## **III. Presentation on Special Needs Adoptions, Ms. Jeanne Labrecque, Director, Office of Medicaid Policy and Planning (OMPP), Family and Social Services Administration (FSSA)**

Ms. Jeanne Labrecque, Director of OMPP, updated the Commission on implementation of SEA 529 which directed FSSA to seek a waiver to allow FSSA to provide Medicaid eligibility for children whose adoptions are considered special needs adoptions. The waiver request is to provide services to children if the family has an income that is up to 350% of the federal income poverty level. It would further would provide Medicaid services with a cost participation plan where the income of the family exceeds 350% and is less than 1001% of the federal income poverty level. Medicaid eligibility would continue until the child reaches the age of nineteen. OMPP has been in

discussions with the Centers for Medicare and Medicaid Services (CMS) and has just learned that the waiver cannot be granted under the terms of the SEA 529. CMS cannot approve federal participation if the family income exceeds 300% of the federal income poverty level and can only grant a waiver if the children are eighteen years of age or under. However, Ms. Labrecque did say that OMPP has found another program which provides subsidies for adoptions. She is doing further research on how that program works and will provide additional information to the Commission.

**IV. Presentation on Cost Savings for Treatment of Addiction, Ms. Dena Davidson, Indiana University School of Medicine Institute of Psychiatric Research**

Ms. Dena Davidson, Indiana University School of Medicine, discussed studies that show that there are cost savings when individuals with substance abuse problems are provided treatment instead of being incarcerated. (Exhibit 7) In answer to questions about what action should be taken by the Commission, Ms. Davidson and Mr. Stephen McCaffrey, Mental Health Association in Indiana, said that the studies of cost savings should receive consideration by the General Assembly in the 2007 session when preparing the next budget.

**V. Update on the Status of the Richmond, Logansport, and Evansville State Hospitals, Ms. Cathy Boggs, Director, Division of Mental Health and Addiction (DMHA), FSSA**

Ms. Cathy Boggs, Director, DMHA, discussed the status of the Richmond, Logansport, and Evansville state hospitals. (Exhibit 8) Ms. Boggs reported that the draft Request for Information (RFI) was issued September 12. She also discussed the meetings that have already been held regarding the hospitals. Questions and answers from the meetings are part of Exhibit 8. Representative Brown expressed concerns that even if a local nonprofit agency is awarded a contract the agency receiving the contract could then enter into subcontracts with entities that are out of state. Ms. Boggs said that the intent is to use providers in the community.

**VI. Early Identification and Intervention Initiative and Waiver for Children with Severe Emotional Disturbance (SED), Ms. Betty Walton, Children's Services Consultant, DMHA , FSSA**

Ms. Betty Walton, children's services consultant, provided the members with an update on the DMHA initiative for children and families. (Exhibit 9) The community centers are gate keepers for children who are at risk. FSSA performs early screening and follows up with a more thorough assessment to determine proper placement for children.

**VII. Presentation on Screening in Schools, Mr. Robert Marra, Assistant Superintendent, Department of Education (DOE)**

Mr. Robert Marra, Assistant Superintendent, DOE, discussed mental health screening which is being done in a few schools in the state. He further said that because of programs in schools with a zero tolerance for drugs, more children are being put into the juvenile justice system.

There was discussion on the types of screening tools being used and parental involvement in the initial decision to provide screening for children. Representative Cindy Noe provided the members with information on screening tools and indicated her concerns for screening without parental involvement. (Exhibit 10)

**VIII. Other business**

Senator Lawson said that there will be a fifth meeting of the Commission on October 25. A quorum is very important for that meeting since there will be votes on bill drafts and recommendations. The Commission will expire January 1, 2006. PD 3050 would make the Commission permanent. Senator Lawson also mentioned recommendations that the Department of Correction use the same drug formulary as Medicaid. She mentioned endorsing the Our Town project which was discussed at the first meeting. Senator Lawson said that if anyone has recommendations they want to be considered, they should contact her immediately.

Senator Lawson called on Mr. Jim Jones, Indiana Council of Community Mental Health Centers, to alert the members about pending federal legislation which might have a negative impact on services provided at community mental health centers.

**IX. Adjournment**

Senator Lawson adjourned the meeting at 1:55 P.M.